

**DATE APPROVED:** 6.1.15  
**AMENDED:**       

***TOWN OF BREWSTER***

***REGULATIONS GOVERNING ROADSIDE PARKING ON TOWN WAYS  
NEAR TOWN LANDINGS***

The Board of Selectmen of the Town of Brewster, acting pursuant to the authority set forth in Massachusetts General Laws, Chapter 40, §22 and Chapter 90, Section 20A1/2 (the provisions of which were accepted by the Town of Brewster on 9/21/1981), hereby adopts the following Regulations pertaining to parking on Town Ways near Town Landings.

**I. Purpose**

Whereas, the Selectmen find that, between the Saturday before Memorial Day and Labor Day each year, numerous residents and visitors park motor vehicles, boats and trailers along the Town Ways leading to Town Landings in the Town of Brewster.

Whereas, the Selectmen find that this increase in parking during the summer months presents a danger to vehicular and pedestrian traffic going to and from the Town Landings and, further, presents a hazard to emergency response efforts.

Now therefore, in order to protect the public safety and provide for the reasonable regulation of parking on these Town Ways, the Brewster Board of Selectmen hereby adopts the following Regulations governing roadside parking on Town Ways near Town Landings.

**II. Definitions**

“Road Layout” shall mean the formal layout of the Town Way as described in the legal instrument creating the Town Way.

“Town Way” shall mean a way, legally laid out by the Town of Brewster in the manner prescribed by statute.

“Traveled Portion” shall mean that part of the Road Layout that is improved for travel by paving or otherwise.

### **III. Regulations**

Between the Saturday before Memorial Day and Labor Day of each year, parking of motor vehicles, boats and trailers shall be prohibited from parking within the Traveled Portion of the Road Layout of the following Town Ways within the Town of Brewster:

**Paines Creek Road** as it extends from Lower Road to the Beach Parking Lot;

**Robbins Hill Road** for the entire length of the Road Layout;

**Breakwater Road** for the entire length of the Road Layout;

**Point of Rocks Road** as it extends from Cathedral Road to the designated parking spaces at the end of Point of Rocks Road where it terminates at the Beach;

**Foster Road** as it extends from Cathedral Road to the designated parking spots at the end of Foster Road where it terminates at the Beach;

**Ellis Landing Road** for the entire length of the Road Layout;

**Linnell Landing Road** for the entire length of the Road Layout;

**Crosby Lane** for the entire length of the Road Layout;

**Drake Way** for the entire length of the Road Layout;

**Hillbourne Terrace** for the entire length of the Road Layout;

**Crowell's Bog Road** for the entire length of the Road Layout; and

**Fisherman's Landing Road** as it extends from Harwich Road (Route 124) to the designated parking at Sheep Pond.

### **VI. Violations, Penalties and Enforcement**

Pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 22, whoever shall violate the provisions of this Regulation shall be subject to a fine in the amount of Thirty (\$30.00) Dollars per occurrence.

Fines shall be issued in accordance with the provisions of Massachusetts General Laws, Chapter 90, §20A½, wherein it shall be the duty of every police officer who takes cognizance of a violation hereunder, to forthwith give the offender a notice, which shall be in tag form as provided in said Section 20A½, to appear before the Brewster Town Clerk at any time during regular office hours, not later than twenty-one (21) days after the date of such violation. Said tag shall be affixed securely to the motor vehicle and shall contain, but shall not be limited to, the following information: the make, color and registration number of the vehicle involved and the

state of issuance of said registration number, the date, time and place of the violation, the specific violation charged, the name and badge number of the officer and his division, a schedule of established fines, instructions for the return of the tag and a notice which reads: "This notice may be returned by mail, personally or by an authorized person. A hearing may be obtained upon the written request of the registered owner. Failure to obey this notice within twenty-one days after the date of violation may result in the non-renewal of the license to drive and the registration of the registered owner."

The Brewster Police Department shall also have authority to tow the motor vehicle in the event it is not removed within four (4) hours of the issuance of the fine, or in the event the enforcing officer determines the vehicle is causing a public safety hazard.

The Brewster Town Clerk, as duly appointed Parking Clerk for the Town of Brewster, shall maintain a docket of all such notices to appear. Any person notified to appear before the Parking Clerk, as provided herein, may appear before such parking clerk, or his designee, and confess the offense charged, either personally or through an agent duly authorized in writing or by mailing to such Parking Clerk the notice accompanied by the fine provided therein. Payment of the fine established shall operate as a final disposition of the case.

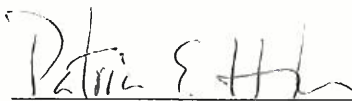
Should any person fail to pay the fine, or having appeared desire not to pay the fine, the Parking Clerk shall forthwith schedule a hearing. Written notice of the date, time and place of said hearing shall be sent by first-class mail to the registered owner. Said hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final subject to judicial review as provided by section fourteen of chapter thirty A of the General Laws.

Whereby, after a duly noticed public hearing, the foregoing Regulation is adopted by the Brewster Board of Selectmen on this 1 day of June, 2015, and shall take effect immediately.



Benjamin deRuyter, Chairman

James W. Foley



Patricia E. Hughes, Vice Chair



Peter G. Norton



John T. Dickson